

REMARKS

Applicants have carefully considered the Office Action dated January 3, 2003, and the references cited therein. Applicants respectfully request reexamination and reconsideration of the application.

Applicants have amended the specification to include references to U.S. Provisional Patent Applications Serial Nos. 60/072,576 and 60/072,577, both filed January 26, 1998. The Examiner will note that Applicants claimed benefit under 35 U.S.C. 119(e) to these provisional patent applications in the patent declaration mailed March 22, 1999. The Examiner will further note that this application has a filing date before November 29, 2000 and therefore such amendment is permitted under 37 C.F.R. §§ 1.78(a)(5)(i)-(ii).

Claims 1-3, 6-16 and 19-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,151,643, hereafter Cheng, in view of U.S. Patent No. 6,272,559, hereafter Jones '559. As to claim 1, the Examiner alleges that Cheng discloses connecting the application (client application 104, Fig. 1) to the information bus (106, Fig. 1) as an event consumer (client computer 101, Fig. 1); identifying data (relevant update for the software product, line 56, column 7) within the application (client application 104, line 55, column 7) that is needed; notifying (click on the continue button 411 to begin the installation process, lines 30-31 column 8) from other participating applications (software vendor computer 103, line 40, column 8); receiving (indicates, line 9, column 8) notice of the data needed is available (an update to provide new features, lines 9-10 column 8) by data name (Quicken 5.0, line 9 column 8) from another participating application (software vendor computer 103, line 40, column 8); requesting (208, Fig. 2) the data by name (Quicken 5.0, line 9 column 8) via the information bus (106, Fig. 1). The Examiner admits, however, that Cheng, as disclosed, does not explicitly teach an *event listener*. Instead, the Examiner relying on Jones '559, alleging that Jones teaches an event listener (an event listener, column 6, line 47) for monitoring announcements and notifications (sends notification of the event, column 6, line 46). The Examiner further states that "It would have been obvious to apply the teachings of Jones to the system of Cheng because this allows a device to receive

event notifications from a distributed network as disclosed by Jones (lines 39-56, column 6)".

Applicants respectfully traverse the rejection of claims 1-3, 6-16 and 19-21 under 35 U.S.C. §103(a) on the grounds that Jones '559 is not prior art to the subject application, and, therefore, the Examiner has failed to create a *prima facie* case of obviousness in accordance with MPEP §2143.03. The subject application is entitled to a priority date of January 26, 1998, the filing dates of U.S provisional applications serial nos. 60/072,576 and 60/072,577. The Jones '559 patent is a continuation-in-part application having a filing date of March 20, 1998, but claiming priority to U.S Patent 6,253,256, Wollrath et al., filed October 15, 1997, hereafter Wallroth ' 256. Applicants have included the text of the Wollrath '256 patent as downloaded from the USPTO web site (www.uspto.gov). As can be seen from the Detailed Description of Wallroth ' 256, the following section of the Jones '599 patent, including the section cited by the Examiner (column 6, lines 46-47) and alleged to disclose an event listener, is absent from the parent Wollrath '256 patent:

Event notification, for example, may occur through use of a marshalled object. For event notification, a machine registers with a device to receive notification of particular events within a distributed network. The device transmits a request for registration along with a marshalled object to an event generator, which stores the marshalled object for possible later transmission. If the event occurs, the event generator sends notification of the event including the marshalled object to an event listener. The event listener may reconstruct the marshalled object, which may contain information relating to the event. The event listener may be the same as the device requesting notification. Events include, for example, a change in the state or occurrence of an object. More specific examples of events in a distributed system include, but are not limited to, the following: a "click" by a key or cursor-

control device; an overlapping window on a display device; a device joining a network; a user logging onto a network; and particular user actions. (6,272,559, Jones, col. 6, lines 39-56)

Accordingly, the above section was added to the Detailed Description of Jones '559 upon filing of the continuation-in-part application and, therefore, is only entitled to the filing date of March 20, 1998, which is after January 26, 1998, the priority date to which the subject application is entitled. In light of the Examiner's admitted deficiencies in the Cheng reference and the later priority date of the Jones '559 reference, Applicants respectfully assert that the rejection is improper and request that this rejection be withdrawn.

Claims 4-5, 7 and 17-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cheng in view of Jones, and further in view of U.S. Patent No. 6,356,948, Barnett. For at least the same reasons as set forth above, Applicants similarly traverse the rejection of claims 4-5, 7 and 17-18 under 35 U.S.C. §103(a) on the grounds that Jones '559 is not prior art to the subject application, and, therefore, the Examiner has failed to create a *prima facie* case of obviousness in accordance with MPEP §2143.03. Barnett does not compensate for the Examiner's admitted deficiencies in the Cheng reference as well as the disclosure relied upon in the Jones '559 patent. Accordingly, Applicants respectfully assert that the rejection is improper request, that this rejection be withdrawn, and that this application be advanced to issue.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. DA-12-2158.

Respectfully submitted,


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Date: 1/31/03

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Please add the following paragraph before line 4 on page 1 of the application, as follows:

This application claims priority to commonly assigned U.S. provisional applications:

Serial No. 60/072,576, Attorney Docket No. L09-97-001-P, filed January November 26, 1998, and entitled "ARCHITECTURE FOR INFORMATION BUS"; and

Serial No. 60/072,577, Attorney Docket No. L09-97-046-9, filed January 26, 1998, and entitled "INFOCENTER USER INTERFACE FOR JAVA COMPONENTS".